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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Thomas R. Eames, et al.

Application No./Patent No.: 09/488,275 Filed/Issue Date: January 20, 2000

Entitled: VIDEO, DATA AND TELEPHONY GATEWAY

NEXT LEVEL COMMUNICATIONS, INC., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. [] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. [x] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Eames, Thomas R. et al. To: Next Level Communications, L.P.

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2. From: Next Level Communications, L.P. To: Next Level Communications, Inc.

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[] Additional documents in the chain of title are listed on a supplemental sheet.

[] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8-21-03

Date

707-584-6657

Telephone Number

John Sheppard

Typed or printed name

Signature

Senior Vice President, Engineering

Title